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S/N 10/826,895

JUL 16 2004  
PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	FINE ET AL.	Examiner:	UNKNOWN
Serial No.:	10/826,895	Group Art Unit:	3754
Filed:	APRIL 16, 2004	Docket No.:	163.1752USII
Confirmation No.:	2205	Customer No.:	23552
Title:	DISPENSING APPARATUS AND METHOD SUITABLE FOR HETEROGENEOUS COMPOSITION		

OFFICIAL

CERTIFICATE UNDER 37 C.F.R. 1.8(b)

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on July 16, 2004.

By:

Name: Sheryl A. Boerboom

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(d), a copy of each document or other information listed on the enclosed Form 1449 is not provided because it was previously cited by or submitted to the U.S. Patent and Trademark Office in parent application, U.S. Serial No. 10/435,351 filed on May 9, 2003.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

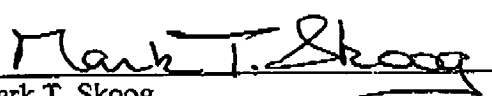
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

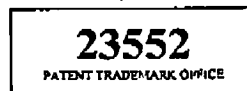
Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: July 16, 2004

  
Mark T. Skoog  
Reg. No. 40,178  
MTS:sab



Date Mailed: JULY 16, 2004

Sheet 1 of 1

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b>  (Use several sheets if necessary)	Docket Number: 163.1752US11	Application Number: 10/826,895
	Applicant: FINE ET AL.	
	Filing Date: APRIL 16, 2004	Group Art Unit: 3754

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	3,727,889	04/17/1973	NAGEL				
	4,830,509	05/16/1989	GULMATICO, JR.				
	5,342,587	08/30/1994	LAUGHLIN ET AL.				
	5,435,157	07/25/1995	LAUGHLIN				
	5,478,537	12/26/1995	LAUGHLIN ET AL.				
	5,549,875	08/27/1996	LAUGHLIN ET AL.				
	5,846,499	12/08/1998	LAUGHLIN ET AL.				
	6,240,953 B1	06/05/2001	LAUGHLIN ET AL.				
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	0 864 684 A1	09/16/1998	EP				
	WO 98/59222	12/30/1998	PCT				
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							



EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

\*Substitute Disclosure Statement Form (PTO-1449)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE